

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION  
RECEIVED

UNITED STATES OF AMERICA, 2007 SEP 5 P 4:11

Plaintiff,

v.

STERNE, AGEE, AND LEACH, INC.,  
Birmingham, Alabama,

Garnishee

DON EUGENE SIEGELMAN,

Defendant

MISC. NO. 2:07mc3371-F

APPLICATION FOR WRIT OF GARNISHMENT

TO: Honorable Debbie C. Hackett  
Clerk, United States District Court  
Middle District of Alabama  
Montgomery, Alabama 36101

Please issue writ of garnishment for the seizure from the garnishee, Sterne, Agee, and Leach, Inc., 800 Shades Creek Pkwy, Birmingham, Alabama 35209, all property held in the possession of Sterne, Agee, and Leach, Inc., in the name of Don Eugene Siegelman, defendant, totaling \$50,000.00, to compel performance of the judgment entered June 28, 2007, and amended on July 10, 2007, in this cause. Said defendant has refused to comply with said judgment as more fully appears from the affidavit of R. Randolph Neeley, Assistant United States Attorney, attached hereto as plaintiff's Exhibit A.

Dated this 5th day of September, 2007.

LEURA G. CANARY  
United States Attorney

BY 

R. RANDOLPH NEELEY  
Assistant United States Attorney  
Bar Number: 9083-E56R  
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Montgomery, AL 36101-0197  
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2007 SEP -5 P 4-11

UNITED STATES OF AMERICA,

Plaintiff,

v.

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Birmingham, Alabama,

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Defendant

MISC. NO. 2:07mc 3371-F

AFFIDAVIT

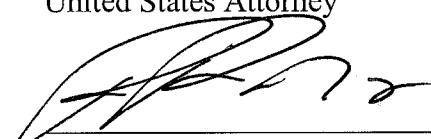
I, R. Randolph Neeley, having been first duly sworn, depose and say as follows:

1. I am an Assistant United States Attorney and represent the United States of America, plaintiff, herein.
2. Judgment was entered on June 28, 2007, and amended on July 10, 2007, for plaintiff and against defendant, Don Eugene Siegelman, for the sum of \$50,700.00.
3. Defendant has paid \$700.00, reducing the amount due to \$50,000.00.
4. The judgment has not been satisfied, vacated, reversed, stayed, or barred by the Statute of Limitations, and is one on which execution may properly issue.
5. Demand was made on defendant's attorneys, Vincent F. Kilborn, III, Esq., and on Susan G. James, Esq., on July 17 and August 22, 2007, respectively, but defendant has failed and refused to pay same.

6. The balance on the judgment as of September 4, 2007, is \$50,000.00.
7. Upon information and belief, Don Eugene Siegelman, defendant, has funds on deposit with Sterne, Agee, and Leach, Inc., Birmingham, Alabama, garnishee.

LEURA G. CANARY  
United States Attorney

BY:



R. RANDOLPH NEELEY  
Assistant United States Attorney  
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Sworn to and subscribed before me this

5th day of September, 2007.

Orthene B. Gardner  
NOTARY PUBLIC